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[1662/604078]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : NIDDAM-HILDESHEIM *et al.*
Serial No. : 10/635,337
Filed : August 6, 2003
For : **NOVEL CRYSTALLINE FORMS OF GATIFLOXACIN**
Examiner : Paul V. Ward
Art Unit : 1624

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on
Date: June 14, 2007

Signature: *Georgia Bullock*

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated December 14, 2006, finally rejecting claims 1-37.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. 1.191 Notice of Appeal fee of **\$500.00** to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. **11-0600**. Any additional fees deemed necessary should also be charged to Deposit Account No. 11-0600. Two additional copies of this Notice are enclosed for that purpose.

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A request for a three-month extension of time to respond to the Final Office Action dated December 14, 2006, is being filed concurrently herewith, which resets the response date to June 14, 2007.

Respectfully submitted,

Dated: June 14, 2007

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